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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *ex rel.* JON J.  
PLATZ,

Plaintiff,

- against -

BANK OF AMERICA CORPORATION,

Defendant.

12 Civ. 8399 (GBD)

### ORDER

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B),

IT IS HEREBY ORDERED THAT:

1. The complaint shall be unsealed thirty days after entry of this order, and service upon defendant by the plaintiff-relator is authorized. If the plaintiff-relator voluntarily dismisses the complaint pursuant to Rule 41(a)(1) within this 30-day period, plaintiff-relator may seek to modify this order with the Government's consent or by motion on notice to the Government.

2. The Government's Notice of Election to Decline Intervention shall be served by the plaintiff-relator upon defendant only after service of the complaint.

3. All previously filed documents in the Court's file in this action shall remain under seal and not be made public, except for, thirty days after entry of this order, plaintiff-relator's complaint, this Order, and the Government's Notice of Election to Decline Intervention.

4. Thirty days after entry of this order, the seal shall be lifted as to all other matters occurring in this action subsequent to the entry of this order.

5. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda and materials, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts. The United States is entitled to intervene in this action, for good cause, at any time.

6. All orders of this Court shall be sent to the United States by the plaintiff-relator.

7. Should the plaintiff-relator or defendant propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

SO ORDERED:

  
UNITED STATES DISTRICT JUDGE

JUL 30 2013